

U.S. Department of Justice  
United States Marshals ServicePROCESS RECEIPT AND RETURN  
See Instructions for "Service of Process by the U.S. Marshal"  
on the reverse of this form.

08C 3201

PLAINTIFF	COURT CASE NUMBER	
Robbie J. moore	08C3201	
DEFENDANT	TYPE OF PROCESS	
Roger E. Walker, Jr. et al	SC	
SERVE	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	
→ Terry L. McCann, Warden, Stateville Correctional Center	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)	
AT	S.C.C. Clo K. Sandlin Legal Dept. P.O. Box 112, Joliet, IL 60434	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		
Robbie J. moore, B-16483 P.O. Box 99 Pontiac IL 61764		
Number of process to be served with this Form - 285      1 Number of parties to be served in this case      2 Check for service on U.S.A.		

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXCEDETING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service): **FILED**

F I L E D

Fold

JUL 28 2008 YM  
 JUL 28, 2008  
 MICHAEL W. DOBBINS  
 CLERK, U.S. DISTRICT COURT.

Signature of Attorney or other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
	<input type="checkbox"/> DEFENDANT	07-09-08	

**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 282	District of Origin No. 24	District to Serve No. 24	Signature of Authorized USMS Deputy or Clerk	7D	Date 07-09-08
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I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.	
Address (complete only if different than shown above)	Date of Service 7/6/08	Time pm
Received signed & summons & receipt of certified delivery (green card)	Signature of U.S. Marshal or Deputy O'Leary	

Service Fee 0	Total Mileage Charges (including endeavors) 0	Forwarding Fee 6.24	Total Charges 6.24	Advance Deposits 0	Amount owed to U.S. Marshal or 6.24	Amount of Refund 0
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REMARKS: Mailed Certified mail w/ wawsc 7007 0710 0000  
4600 0702

**INSTRUCTIONS FOR SERVICE OF  
PROCESS BY THE U.S. MARSHAL**

Please type or print legibly, insuring readability of all copies. DO NOT DETACH ANY COPIES.

Submit one complete set of this form (USM-285) and one copy of each writ for each individual, company, corporation, etc., to be served or property to be seized or condemned. The applicable fees for such service(s) (T28, USC Sec. 1921 establishes the fees for service of process by the U.S. Marshal) may be required prior to said service.

For service of any process upon an officer or agent of the United States Government, submit a copy of the writ and a set of Form USM-285 for each officer or agent upon whom service is desired. Submit three (3) additional copies of the writs for service upon the Government of the United States. The U.S. Marshal will serve one (1) upon the U.S. Attorney and will forward two (2) to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or his Deputy always certifies service on the U.S. Attorney and the Attorney General, regardless of whether other defendants on the writ were served.) Failure to provide any of the copies will delay service of the writ.

Complete all entries above the double line. Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the U.S. Marshal in expediting service.

If more than one writ and USM-285 is submitted on a single case, the U.S. Marshal will receipt for all of them on the first USM-285. You will receive for your records the last (No. 5) "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the writ is served, you will receive the No. 3 Notice of Service copy. This copy will be identical to the return to the Clerk of the Court.

Upon completion of all services (if the Marshals fees were not requested or tendered in advance or if additional fees are indicated), you will receive a "Billing Statement" (copy 4 of USM-285) from the United States Marshal. (NOTE: Copy 4 should be returned, by you, to the U.S. Marshal, together with your payment of the amount owed.)

Additional supplies of the USM-285 may be obtained from the Clerk of the U.S. District Court or U.S. Marshal, without cost.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

(DISTRICT)

## Waiver of Service of Summons

FILED

TO: Robbie J. Moore

JUL 28 2008 YM

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, Terry L. McCann, Warden

(DEFENDANT NAME)

service of summons in the action of Robbie J. Moore vs. Roger E. Walker, Jr., et al.

(CAPTION OF ACTION)

which is case number 08C3201

(DOCKET NUMBER)

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

acknowledge receipt of your request that I waive

in the United States District Court for the

Northern District of Illinois

(DISTRICT)

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after July 9, 2008

(DATE REQUEST WAS SENT)

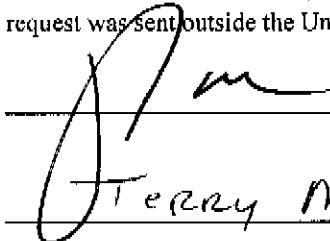
or within 90 days after that date if the request was sent outside the United States.

7-16-08

DATE

SIGNATURE

Printed/Typed Name:



As

TITLE

of

CORPORATE DEFENDANT

## Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown to its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against the defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

United States District Court  
Northern District of Illinois**SUMMONS IN A CIVIL ACTION**

ROBBIE J. MOORE

Vs.

CASE NUMBER: 08CV3201

JUDGE: DARRAH

ROGER E. WALKER, JR., et al.

TO: Terry L. McCann

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon plaintiff's attorney:

Name: Robbie J. Moore  
Firm: B-16483  
Address: P.O. Box 99  
City: Pontiac, IL 61764  
Telephone:

an answer to the complaint which is herewith served upon you, within [20] days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

**Maya Burke**

By:

Maya Burke, Deputy Clerk

Dated: July 7, 2008

RECEIVED  
UNITED STATES MARSHAL  
2008 JUL -9 PM 3:30  
NON-REGULAR OFFICE  
DEPUTY CLERK SECTION

<sup>4</sup>As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Stateville Correctional Center  
40 K. Sandlin, Legal Coord.  
P.O. Box 112  
Joliet, IL 60434

08 C 3201

## 2. Article Number

(Transfer from service label)

7007 0710 0000 9600 0702

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-11

A. Signature  
**X 90 S.J.**

Agent  
 Address

B. Received by (Printed Name)  
**90 S. Juniper**

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

JL 14 2008

3. Service Type  UPS  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

\* Sender: Please print your name, address, and ZIP+4 in this box \*

United States Marshals Service  
219 S. Dearborn Street, Room 2444  
Chicago, IL 60604  
Attn: Civil

08C3201